

CLAIMS: AMERICAN SHIPMASTERS AT CHINCHA ISLANDS

Exchange of notes at Lima, April 8 and 9, 1857

Entered into force April 9, 1857

*Terminated upon fulfillment of its terms*¹

7 Miller 503

The Minister of Foreign Affairs to the American Minister

[TRANSLATION]

LIMA, April 8, 1857

At the last conference which the undersigned, Minister of Foreign Affairs, held yesterday afternoon with His Excellency, the Envoy Extraordinary and Minister Plenipotentiary of the United States, to terminate equitably the claim of indemnification solicited by the North American captains who were wounded and ill-treated at the islands of Chincha on the 17th of August 1853, the undersigned had the honor to explain to His Excellency, Mr. Clay, that, notwithstanding the desire of the Peruvian Government to bring this business to the definitive settlement to which the arrangements previously made at Washington between the Minister of Peru and the Secretary of State of the American Union contributed, the political situation of the Republic at present and the increased expenses caused by it do not permit the National Treasury to make, immediately, the payment of the forty thousand dollars (\$40,000) to which the said claim amounts—a disbursement which the Government of the undersigned is disposed to make in the following form, if accepted by His Excellency, the Envoy Extraordinary and Minister Plenipotentiary of the United States.

The Minister of Finance will draw four bills, of ten thousand dollars each, upon the house of Barreda & Brother in the United States, payable at three, six, nine, and twelve months after sight, in order that, from the product of the guano sold in that Republic, it may hold at the disposal of the Government of the Union the whole amount of forty thousand dollars (\$40,000) at the dates above mentioned.

The undersigned feels confident that His Excellency, the Envoy Extraordinary and Minister Plenipotentiary of the United States, in informing his

¹ For a discussion of the settlement, see 7 Miller 516.

Government of the conclusion of this disagreeable business, will communicate to it the great consideration it has merited from that of Peru, the more especially as it has been concluded through the respectable organ of His Excellency, Mr. Clay, who has given so many proofs of intelligence and sagacity in the adjustment of the different claims he has laid before the Government of the undersigned.

The undersigned reiterates to His Excellency, Mr. Clay, the assurance of his high consideration and distinguished esteem.

MANUEL ORTIZ DE ZEVALLOS

The American Minister to the Minister of Foreign Affairs

LEGATION OF THE UNITED STATES

Lima, April 9th 1857

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has the honor to acknowledge the receipt of the note addressed to him yesterday by His Excellency, the Minister of Foreign Affairs, in which, after referring to the conference held between them, on the 7th Instant, in relation to the claim of indemnity to the American Shipmasters, injured at the Chincha Islands, on the 17th of August 1853: His Excellency sets forth, that the present political state of the Republic of Peru and the great expenses caused by it do not permit the Government to pay, immediately, the forty thousand dollars, agreed upon as the amount of the indemnity to the said Captains. His Excellency proposes, that the payment of the forty thousand dollars shall be made, by four bills of ten thousand dollars each, drawn by the Minister of Finance of the Republic of Peru, upon the House of Mess^{rs} Barreda and Brother, in the United States, payable to the Government of the United States at three, six, nine and twelve months after sight.

The Undersigned, in reply, begs to state, that taking into consideration the circumstances alluded to by His Excellency, the Minister of Foreign Affairs; he agrees to the arrangement proposed by His Excellency for the payment of the forty thousand dollars, through the House of Barreda and Brother, to the Government of the United States; in the sums of ten thousand dollars at three, six, nine and twelve months after sight of the bills drawn by the Minister of Finance of Peru for that purpose.

The Undersigned will take great pleasure in representing to his Government the high sense of justice and friendly disposition, evinced by the Government of Peru in this disagreeable question, to the adjustment of which, the frankness and intelligent perception of His Excellency, Don Manuel Ortiz de Zevallos have materially contributed.

Thanking His Excellency for the complimentary expressions contained in His Excellency's note, the Undersigned avails himself of this occasion to renew the assurance of his highest consideration.

J. RANDOLPH CLAY